

**WASHINGTON COUNTY COMMISSION**  
**MEETING MINUTES**  
**FEBRUARY 19, 2013**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on February 19, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Washington County Administrator Dean J. Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Gardner led the Pledge of Allegiance.

Chairman Eardley recognized a Troop of Boy Scouts in attendance. Dave Patterson and Brock Belnap introduced their scouts and said they are all trying to achieve their Eagle Scout badges.

**AGENDA**

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for February 6, 2013, through February 19, 2013
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Applications for Settlement or Deferral of Property Taxes: Randal & Marlene Iverson, S/N LV-124-E and LV-122-B-1-A-1; Toy Box LC, S/N SG-JCS-1; Lena, Inc. S/N SG-6-26-3404; B&A Land Development/Suzy Appel, S/N H-WSOC-A, H-WSOC-B, H-WSOC-C, H-WSOC-D, H-WSOC-E
- Consideration of Applications for Property Tax Abatement: John Debenham, A/N 0325319; Terrie McIntosh, S/N LV-PGS-2-5

**REGULAR AGENDA ITEMS FOR CONSIDERATION:**

**EMERGENCY SERVICES REPORT / SHERIFF CORY PULSIPHER**

Sheriff Pulsipher said that there have been two (2) Search and Rescue call-outs since his last report, both in the Gooseberry Mesa area, both successfully resolved.

Sheriff Pulsipher added that he had received the 2012 Search and Rescue report, which reported that most of the twenty-thousand-dollar (\$20,000.00) budget would be reimbursed from the State's Search and Rescue Fund. There are three (3) main components in the budget: search costs, training costs, equipment purchases. Washington County ranks third in the State in the number of call-outs. The money to fund this budget comes from ATV, OHV, and boat registration fees.

**PURCHASE REQUESTS / MARK BLANCH**

Clerk-Auditor's Office, 2013 Chevrolet Traverse ..... \$35,000.00

Mr. Blanch said that this vehicle is to be added to the County Motor Pool.

*All purchases are budgeted, bonded, or paid for through grant funds.*

**MOTION: Motion by Commissioner Drake to Approve the Purchase Request, as presented. Motion Seconded By Commissioner Gardner And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**ACKNOWLEDGMENT OF PAYMENT IN LIEU OF TAXES (PILT) PAYMENT TO WASHINGTON COUNTY / BRUCE BONEBRAKE, REGIONAL SUPERVISOR, DIVISION OF WILDLIFE RESOURCES**

Mr. Bonebrake presented a check in the amount of one hundred twelve dollars and twenty cents (\$112.20) to Washington County.

**CONSIDERATION OF RESOLUTION NO. R-2013-1704, A RESOLUTION TO DECLARE ARUNDO DONAX A COUNTY NOXIOUS WEED IN WASHINGTON COUNTY, UTAH**

Steve Meisner with the Division of Wildlife Resources said that *Arundo Donax* is an invasive and non-native species of weed that requires eradication in order to preserve the healthy ecological balance of the area. It is a fast-spreading weed that resembles bamboo.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1704, A Resolution To Declare Arundo Donax A County Noxious Weed In Washington County, Utah. Motion Seconded By Commissioner Drake And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1705, A RESOLUTION TO ADOPT AND APPROVE THE WASHINGTON COUNTY-NRCS OLD HIGHWAY**

**91 2012 EWP AGREEMENT TO RELIEVE HAZARDS AND DAMAGES  
CREATED BY THE FLOOD IN WASHINGTON COUNTY, UTAH**

Washington County Public Works Director Ron Whitehead said that the County is still working on erosion protection for damages that occurred during a recent flood. This contract was bid out, and Progressive Contracting, Inc., was the lowest qualified bidder.

**MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1705, A Resolution To Adopt And Approve The Washington County-NRCS Old Highway 91 2012 EWP Agreement To Relieve Hazards And Damages Created By The Flood In Washington County, Utah. Motion Seconded By Commissioner Gardner And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1706, A RESOLUTION  
APPROVING THE PRIORITY LIST OF HIGHWAY CORRIDOR  
PRESERVATION PROJECTS WITHIN WASHINGTON COUNTY  
ESTABLISHED BY THE WASHINGTON COUNTY COUNCIL OF  
GOVERNMENTS (COG)**

Chairman Eardley explained that the Council of Governments (COG) is made up of the Commission and all Mayors to oversee and manage money in the Corridor Preservation Fund. In a recent COG meeting, the 2013 Priority List was approved, and must also be approved by the County Commission. The COG is funded by vehicle registration fees throughout the State.

**MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1706, A Resolution Approving The Priority List Of Highway Corridor Preservation Projects Within Washington County Established By The Washington County Council Of Governments (COG). Motion Seconded By Commissioner Gardner And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1707, A RESOLUTION  
SUPPORTING IMPLEMENTATION OF THE TRANSFER OF PUBLIC LANDS  
ACT (UTAH HB148 2012)**

Commissioner Gardner explained that this resolution supports the bill recently passed by the State that calls for the transfer of public lands from the federal government to the State. Other states, including Arizona, Idaho, Nevada, New Mexico, are considering or have considered and passed similar bills. Education funding is problematic in states that hold a great amount of federal lands.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1707, A Resolution Supporting Implementation Of The Transfer Of Public Lands Act (Utah HB148 2012). Motion Seconded By Commissioner Drake And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1708, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN AMERICAN WIRELESS, INC., DBA AWI NETWORKS AND WASHINGTON COUNTY FOR THE PROVISION OF HIGH-SPEED PUBLIC WIRELESS ACCESS AT THE WASHINGTON COUNTY REGIONAL PARK**

Administrator Dean Cox said that this contract provides for wireless connectivity service at the Regional Park for the convenience of the public. A Request for Proposal was issued, and AWI was the lowest qualified bidder.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1708, A Resolution Approving The Execution Of An Agreement Between American Wireless, Inc., dba AWI Networks And Washington County For The Provision Of High-Speed Public Wireless Access At The Washington County Regional Park. Motion Seconded By Commissioner Drake And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1709, A RESOLUTION APPROVING THE RELEASE OF WASHINGTON COUNTY'S CLAIMS AND RIGHTS FOR SUPPRESSION COSTS OF A FIRE ALLEGEDLY CAUSED BY PETER ANDREW FIELD ON JULY 23, 2011 NEAR IVINS, UTAH, IN CONSIDERATION FOR THE PAYMENT OF \$109,849.46**

Deputy County Attorney Eric Clarke reminded everyone that, if a private citizen is proven responsible for causing a fire, that person may be held responsible for financial restitution to those agencies that provided fire suppression.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1709, A Resolution Approving The Release Of Washington County's Claims And Rights For Suppression Costs Of A Fire Allegedly Caused By Peter Andrew Field On July 23, 2011 Near Ivins, Utah, In Consideration For The Payment Of \$109,849.46. Motion Seconded By Commissioner Drake And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**CONSIDERATION OF RESOLUTION NO. R-2013-1710, A RESOLUTION APPROVING AND ADOPTING THE UPDATED WASHINGTON COUNTY EMERGENCY OPERATIONS PLAN**

Mr. Cox said that the County's previous Emergency Operations Plan was adopted in 2004 and required updating. The new plan is in Emergency Support Function format where different aspects of emergency response are broken down into portions (transportation, health and safety, communications, etc.) for which different agencies are responsible.

**MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1710, A Resolution Approving And Adopting The Updated Washington County Emergency Operations Plan. Motion Seconded By Commissioner Drake And Carried By Unanimous Vote, With Commissioners Eardley, Gardner, And Drake Voting Aye.**

**COMMISSIONERS' REPORT**

No report was presented today.

**PUBLIC WORKS OR ROAD BUSINESS**

Public Works Director Ron Whitehead updated the Commission on road projects in the County. Work continues on Old Highway 91 on the other side of Castle Cliffs, widening shoulders. He asked the public to please exercise caution in that area. His department is attempting to push several other Natural Resources Conservation Service (NRCS) projects through the permitting process, which is difficult and time-consuming.

**COUNTY DEVELOPMENT AND PLANNING BUSINESS**

Mr. Whitehead introduced the new Washington County Planner, Scott Messel, who discussed the business conducted in the recent Planning Commission meeting of February 12, 2013:

Conditional Use Permit Extension: Review permission to operate a gravel crusher within the OST-20 zone, Section 16, T42S, SLBM, generally 1/4 mile east of Washington County Landfill; Dee Atkins/Western Rock.

Conditional Use Permit Extension: Review extension on Lake to Lake Team Relay from Gunlock to Sand Hollow Reservoir, March 2, 2013, sponsored by City of St. George/Aaron Metler, applicant.

Conditional Use Permit Extension: Review extension for charity event for New Harmony Fire Mud Run to be held on June 23, 2013 at Old Highway 91 Bridge in Kolob Mountain Ranches Subdivision; Manuel Hernandez, agent.

Conditional Use Permit Extension: Review extension for a charity ride "Tour de St. George" Spring event on April 14, 2013; Fall event October 26, 2013, from St. George up Highway 91 to Veyo, then to Gunlock, and back to St. George. Spin Geeks/Red Rock Bicycle, applicant.

Mr. Messel said that all conditional permit extensions were unanimously approved by the Planning Commission.

**Request A Closed Session**

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:32 p.m.

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CHRISTINE S. HALL  
DEPUTY CLERK

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JAMES J. EARDLEY  
CHAIRMAN